UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,788	06/27/2003	Masatoshi Sakurai	239540US2TTCRD	6388

			EXAMINER
22850	7590	09/27/2006	ALMEIDA, DEVIN E

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ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/606,788	SAKURAI ET AL.
	Examiner	**Art Unit**	
	Devin Almeida	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 June 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 June 2006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>See Continuation Sheet</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :9/26/2003, 1/6/2004, 6/24/2005, 5/26/2006 .

DETAILED ACTION

This action is in response to the papers filed 6/27/2003. Claims 1-21 were

received for consideration. No preliminary amendments for the claims were filed.

Currently claims 1-21 are under consideration.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d). The certified copy has been received.

Information Disclosure Statement

•   The information disclosure statement (IDS) submitted on 9/26/2003, 1/6/2004,

6/21/2005, and 5/26/2006 are in compliance with the provisions of 37 CFR 1.97.

Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-13, 15-19 and 21 are rejected under 35 U.S.C. 102(e) as being

anticipated by Inchalik et al (U.S. Patent Application Publication # 2003/0002671). With

respect to claim 1, Inchalik teaches a recording medium comprising: an authentication

region having a RAM bit and a ROM bit, the RAM bit being over-writable of data at least

once by a first writing condition, and the ROM bit being not over-writable of data by the

first condition (see paragraph 0040 – 0041 i.e. the definition of a ROM is computer

memory on which data has been prerecorded, once data has been written onto a ROM

chip, it cannot be removed and can only be read); and a data storing region (see

paragraph 0044).

With respect to claim 2, Inchalik teaches a non-recording region enclosing the

RAM bit and the ROM bit, and the non-recording region being not over-writable by the

first writing condition (see paragraph 0040 – 0041 i.e. the definition of a ROM is

computer memory on which data has been prerecorded, once data has been written

onto a ROM chip, it cannot be removed and can only be read).

With respect to claim 3, Inchalik teaches a recording-medium management

method comprising: obtaining a first data line from an authentication region (see figure

1a element 14 and 16 and paragraph 0040 - 0041) of a recording medium (see figure

1a element 10 and paragraph 0041) authentication region including a first data pattern

of a RAM bit and a ROM bit, the first data line being corresponding to the first data

pattern (see figure 1a element 22 and paragraph 0041), the RAM bit being over-writable

of data at least once by a first writing condition (see paragraph 0040 i.e. rewriteable

type CD-RW), and the ROM bit being not over-writable of data by the first writing

condition (see paragraph 0040 i.e. the definition of a ROM is computer memory on

which data has been prerecorded, once data has been written onto a ROM chip, it

cannot be removed and can only be read); overwriting a predetermined data to the RAM

bit (see paragraph 0041 and 0044); obtaining a second data line from the recording

medium, the second data line being corresponding to a second data pattern of the over-

written RAM bit and the ROM bit (see figure 1a element 24 and paragraph 0040 – 0041

and 0045), and decrypting an encrypted data stored in a data storing region of the

recording medium in reference to the first and second data lines (see figure 2 and

paragraph 0045, 0049 and 0061).

With respect to claim 4, Inchalik teaches a recording-medium management

method comprising: obtaining a first data line from an authentication region (see figure

1a element 14 and 16 and paragraph 0040 - 0041) of a recording medium (see figure

1a element 10 and paragraph 0041) authentication region including a first data pattern

of a RAM bit and a ROM bit, the first data line being corresponding to the first data

pattern (see figure 1a element 22 and paragraph 0041), the RAM bit being over-writable

of data at least once by a first writing condition (see paragraph 0040 i.e. rewriteable

type CD-RW), and the ROM bit being not over-writable of data by the first writing

condition (see paragraph 0040 i.e. the definition of a ROM is computer memory on

which data has been prerecorded, once data has been written onto a ROM chip, it

cannot be removed and can only be read); overwriting a predetermined data to the RAM

bit (see paragraph 0041 and 0044); obtaining a second data line from the recording

medium, the second data line being corresponding to a second data pattern of the over-

written RAM bit and the ROM bit (see figure 1a element 24 and paragraph 0040 – 0041

and 0045), and judging propriety of an access to a data storing region of the recording-

medium in reference to the first and second data lines (see paragraph 0008, 0059 and

0063).

    . With respect to claim 5, Inchalik teaches a recording-medium management

system comprising: a reproduction part (see paragraph 0048 i.e identification signature

22 is read from the disc 10); a recording part (see paragraph 0045 i.e to write user-

specific encrypted information 24); and a control part performing a first control to

obtaining a first data line from an authentication region (see figure 1a element 14 and

16 and paragraph 0040 - 0041) of a recording medium (see figure 1a element 10 and

paragraph 0041) authentication region including a first data pattern of a RAM bit and a

ROM bit, the first data line being corresponding to the first data pattern (see figure 1a

element 22 and paragraph 0041), the RAM bit being over-writable of data at least once

by a first writing condition (see paragraph 0040 i.e. rewriteable type CD-RW), and the

ROM bit being not over-writable of data by the first writing condition (see paragraph

0040 i.e. the definition of a ROM is computer memory on which data has been

prerecorded, once data has been written onto a ROM chip, it cannot be removed and

can only be read); a second control to make the recording part overwrite predetermined

data to the RAM bit (see paragraph 0041 and 0044); a third control to obtaining a

second data line from the recording medium, by making the reproduction part read the

authentication region, the second data line being corresponding to a second data

pattern of the over-written RAM bit and the ROM bit (see figure 1a element 24 and

paragraph 0040 – 0041 and 0045), and a fourth control to perform an authentication

with regard to the recording medium in reference to the first and second data lines (see

paragraph 0045 –0048).

With respect to claim 6, Inchalik teaches the authentication is a decryption

procedure of an encrypted data stored in the recording medium (see figure 2 and

paragraph 0045, 0049 and 0061).

With respect to claim 7, wherein the authentication is a judgment of propriety of

an access to a data stored in the recording medium (see paragraph 0010, 0018, 0059,

0063).

With respect to claim 8, wherein the predetermined data consist of only either

one of binary values (see paragraph 0040 i.e. since the data is written on a CD there

can only be either one of the binary values to store the data).

With respect to claim 9, wherein the predetermined data has a sequence in

which one of binary values and another of binary values appear by turns (see paragraph

0040 i.e. since the data is written on a CD there can only be either one of the binary

values to store the data which makes up the identification signature 22 and encrypted

information 24).

With respect to claim 10, Inchalik teaches the recording medium has a plurality of

the authentication regions, and the control part performs the first through fourth control

in correspond to each of the authentication regions (see paragraph 0044).

With respect to claims 11 and 16, Inchalik teaches a memory to store at least

one of the obtained first and second data lines, the control part performing a fifth control

to erase at least one of the first and second data lines stored in the memory (see
paragraph 0016 and 0062).

With respect to claim 12 and 17, wherein the control part performs the fifth
control when reading data region of the recording medium corresponding to the data to
be erased is performed by a predetermined times (see paragraph 0016 i.e. each time
the program exits).

With respect to claims 13 and 18, wherein the control part performs the fifth
control when the recording medium is removed from the recording-medium
management system (see paragraph 0070 i.e. data can only be decrypted when disc is
inserted).

With respect to claims 15 and 20, wherein the control part performs the fifth
control when a use of the recording medium is finished (see paragraph 0016 and 0062).

With respect to claim 21, wherein the control part performs a sixth control to
make the recording part overwrite data to the RAM bit in order that the first data line is
obtained when the first control is performed to the recording medium (see paragraph
0040 – 0041, 0044, 0048).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claim 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Inchalik et al (U.S. Patent Application Publication # 2003/0002671) in view of Daniels

(U.S. Patent Application Publication # 2002/0100052). The Inchalik reference teaches

everything with respect to claims 11 and 19 above but with respect to claims 14 and 19

it does not teach the control part performs the fifth control when a predetermined time

passed after the first or second data line is obtained. Daniels teaches erasing the

encryption key after a predetermined time passes (see Daniels paragraph 0220). It

would have been obvious at the time the invention was made to a person having

ordinary skill in the art to which said subject matter pertains to have erased the

encryption key after a predetermined time passes to keep the data more secure by

making that user still has the right to decrypt the data after predetermined time has

passed. Therefore one would have been motivated to have erased the encryption key

after a predetermined time passes to keep the data more secure (see Daniels

paragraph 0220)

Prior Art Made of Record

The prior art made of record and not relied upon in considered pertinent to

applicant's disclose. The following patents are cited to further show the state of the art

with respect to a file system, such as:

United States Patent No. 6,029259 to Sollish et al., which is cited to show a

method for authentication a digital optical medium to determine if it is original or an

unauthorized copy.

United States Patent Publication No. 2001/0018743 to Morishita, which is cited to

show a method of preventing an illegal copy of contents.

apanese Patent Publication No. 11-096673 to Masatake, which is cited to show a

method for repeatedly recording in the key recording region.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Devin Almeida whose telephone number is 571-270-

1018. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to

5:00 P.M. The examiner can also be reached on alternate Fridays from 7:30 A.M. to

4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron, can be reached on 571-272-3799. The fax phone number

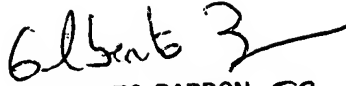for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

DA
Devin Almeida
Patent Examiner
9/19/2006

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